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*Attorneys for Defendant  
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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH**

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JADEE ROSE SMITH, an individual;  
CHRISTIAN SMITH, an individual; SHYSEN  
PINERO, an individual; FAINUU SOLIAI, an  
individual; and NICOLE PINERO, an  
individual,

Plaintiffs,

v.

FORD MOTOR COMPANY, a corporation;  
DOES I-X; and ROES I-X,

Defendants.

**Case No. 4:20-cv-00046-DN**

**FORD MOTOR COMPANY'S NOTICE  
OF REMOVAL**

(Removed from the Fifth Judicial District  
Court in and for Iron County, State of Utah,  
Case No. 200500035)

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Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Ford Motor Company ("Ford"), by and through its undersigned counsel, hereby removes and gives NOTICE OF REMOVAL of the civil action pending against Ford in the Fifth Judicial District Court in and for Iron County, State of Utah, entitled *Jadee Rose Smith, et al. v. Ford Motor Company*; Case No. 200500035, to this Court. In support thereof, Ford states as follows:

1. This is a civil action over which this Court has original jurisdiction based on diversity pursuant to 28 U.S.C. § 1332 and which may be removed by Ford to this Court pursuant to 28 U.S.C. § 1441(a) because it is a civil action between citizens of different states and the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

2. On or about February 26, 2020, Plaintiffs Jadee Rose Smith, Christian Smith, Shysen Pinero, Fainuu Soliai and Nicole Pinero (collectively, “Plaintiffs”) filed their Complaint against Ford in the Fifth District Court in and for Iron County, State of Utah (“State Court Action”).

3. Ford was served with the Summons and Complaint on April 24, 2020. The Summons and Complaint constitute all process and pleadings that have been served on Ford and are attached hereto as Exhibit A. No further pleadings have been filed, and no proceedings have yet to occur in the State Court Action.

4. This Notice of Removal is timely because Ford files it within thirty days of service of the Summons and Complaint.

5. Although the Complaint is silent as to the Plaintiffs’ residency, upon information and belief after finding Plaintiffs’ mailing address in the state court filing system, Plaintiffs are residents of the State of Hawaii. *See* Docket Sheet, attached hereto as Exhibit B.

6. At the time of the incident that forms the basis of Plaintiffs’ Complaint, Ford was, and still is, a corporation organized under the laws of the State of Delaware with its principal place of business at One American Road, Dearborn, Michigan 48126. As such, Ford is a citizen of Delaware and Michigan.

7. Accordingly, diversity of citizenship exists pursuant to 28 U.S.C. § 1332(a) because this action is between citizens of different states. The parties were citizens of different states at the time Plaintiff’s Complaint was filed in state court.

8. Plaintiffs are seeking damages in excess of \$75,000.00. As alleged in the Complaint, the amount Plaintiffs claim in this action “exceeds \$300,000.00, exclusive of court costs, interest and attorneys’ fees.” (Complaint at ¶ 15).

9. As such, the amount in controversy is in excess of the sum or value of \$75,000.00, exclusive of interest and costs, pursuant to 28 U.S.C. § 1332(a).

10. Accordingly, removal to the United States District Court for the District of Utah is proper pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

11. A true and correct copy of this Notice of Removal will be filed with the Fifth Judicial District Court in and for Iron County, State of Utah, and served upon counsel for Plaintiffs.

12. In filing this Notice of Removal, Ford does not waive, and specifically reserves, all defenses, exceptions, rights, and motions.

WHEREFORE, Ford submits this Notice that the above-entitled matter is hereby removed from the Fifth Judicial District Court, in and for Iron County, State of Utah, in accordance with the provisions of 28 U.S.C. §§ 1332, 1441, and 1446.

Dated this 13<sup>th</sup> day of May, 2020.

SNELL & WILMER L.L.P.

/s/ Dawn L. Davis

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Salt Lake City, UT 84101

*Attorneys for Defendant Ford Motor Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of May, 2020, I caused a true and correct copy of the foregoing **FORD MOTOR COMPANY'S NOTICE OF REMOVAL** to be delivered via the court's electronic filing system to the following:

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